

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

STARR INDEMNITY & LIABILITY COMPANY,)	
)	
)	
Plaintiff,)	
)	
v.)	Case No.: 1:17-cv-01430
)	
COOK COUNTY, ILLINOIS, an Illinois)	
governmental entity; TERRILL SWIFT;)	
MICHAEL SAUNDERS; VINCENT)	
THAMES; and HAROLD RICHARDSON,)	
)	
Defendants.)	

**PLAINTIFF'S MOTION FOR LEAVE
TO FILE SECOND AMENDED COMPLAINT AND
REQUEST FOR CASE STATUS CONFERENCE**

Plaintiff, Starr Indemnity & Liability Company ("Starr") by its undersigned attorneys, Philip R. King and Jonathan Walton of Cozen O'Connor, pursuant to Federal Rule of Civil Procedure 15(a)(2), requests leave of court to file a Second Amended Complaint for Declaratory Relief and for the court to set a Case Status Conference, and in support thereof, states as follows:

1. Starr and Defendant Cook County have been addressing discovery and potential agreements to narrow the issues in dispute.
2. As a result of those efforts any necessary discovery has been streamlined and Starr and Cook County have narrowed the issues in dispute.
3. In addition, the underlying *Swift v. City of Chicago, et al.*, has been settled.
4. In order to address the remaining coverage issues and address the current and settled underlying claims and facts, Starr requests leave to file a Second Amended Complaint for Declaratory Relief, a copy of which is attached hereto as Exhibit "A".

5. Counsel for Cook County has advised that the County does not oppose this motion, and has given written consent to Starr's filing of a Second Amended Complaint.

6. This request is made in good faith and is not made for any dilatory purpose and will not unfairly prejudice any of the Parties to this action.

7. As with the prior Complaints, Starr's proposed Second Amended Complaint seeks to bind Defendants Michael Saunders, Vincent Thames and Harold Richardson to the outcome of the coverage dispute with Cook County.

8. With the agreement of counsel for Cook County a request is made for the Court to vacate the current Scheduling Order and to set a status conference to establish a new Scheduling Order.

WHEREFORE, Starr respectfully requests that this Court grant it leave to file the Second Amended Complaint instanter and requests that the Court vacate the current Scheduling Order and to set a Case Status Conference to establish a new Scheduling Order.

Respectfully submitted,

COZEN O'CONNOR

s/ Philip R. King

One of the Attorneys for Plaintiff,

STARR INDEMNITY & LIABILITY COMPANY

Philip R. King
Jonathan Walton
COZEN O'CONNOR
123 N. Wacker Drive, Suite 1800
Chicago, IL 60606
(312) 474-7900
(312) 474-7898 (fax)

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that the aforesaid document has been filed and served via the Court's CM/ECF filing system by electronically filing and service the parties of record on August 31, 2018.

*s/ Philip R. King*_____

Philip R. King